

**Maryland  
Transportation  
Authority**

Martin O'Malley  
Governor

Anthony Brown  
Lt. Governor

Beverley K. Swaim-Staley  
Chairman

Peter J. Basso  
Rev. Dr. William C. Calhoun, Sr.  
Mary Beyer Halsey  
Louise P. Hoblitzell  
Richard C. Mike Lewin  
Isaac H. Marks, Sr., Esq.  
Michael J. Whitson  
Walter E. Woodford, Jr., P.E.

Ronald L. Freeland  
Executive Secretary

Douglas M. Hutcheson, P.E.  
Acting Chief Engineer

Engineering Division  
300 Authority Drive  
Baltimore MD 21222-2200  
410-537-7806  
410-537-7803 (fax)

Construction Division  
304 Authority Drive  
Baltimore MD 21222-2200  
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May 11, 2010

**TO ALL PURCHASERS OF CONTRACT DOCUMENTS:**

RE: **Contract No. BB 2176-000-006R**  
**Cleaning and Painting at Westbound Bay Bridge**

**ADDENDUM NO. 2**

To Whom It May Concern:

It is important that you acknowledge receipt of this Addendum No. 2 on the referenced contract regardless if you will be bidding or not bidding.

Very truly yours,

Linda McGill, CPPB  
Chief Procurement Officer

Enclosures

Contract No. **BB 2176-000-006R**

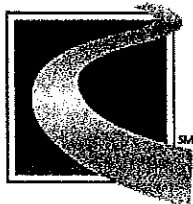
This will acknowledge receipt of the attached Addendum No. 2.

\_\_\_\_\_  
**NAME OF COMPANY**

\_\_\_\_\_  
**SIGNATURE**

\_\_\_\_\_  
**DATE**

THIS SIGNED ADDENDUM ACKNOWLEDGEMENT PAGE SHALL BE RETURNED TO THIS OFFICE VIA **FAX AT 410-537-7801**, ATTENTION: MAGGIE JOHNSON PRIOR TO THE BID OPENING DATE.



# Maryland Transportation Authority

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May 11, 2010

TO ALL PURCHASER'S OF CONTRACT DOCUMENTS

## ADDENDUM NO. 2

**RE: Contract No. BB 2176-000-006R**  
**Cleaning and Painting at Westbound Bay Bridge**

To Whom It May Concern:

The bid due date for this contract has been postponed until 12:00 noon on  
**May 19, 2010** to allow bid adjustments as necessary.

Addendum No.1 included the question from the International Union of Painters  
and Allied Trades, AFL CIO District Council No.51 dated 4/27/10,  
**"Will a State of Maryland registered apprenticeship be required?"**

**The response has been updated as stated below.**

The program **is in effect and will be enforced** for this contract.  
Provisions for the Apprenticeship Training Fund are included in this  
addendum. The only provision the Department of Labor is not currently  
enforcing is the collection of the \$0.25 per hour as required by law on all  
public projects bid and awarded after October 1, 2009. The remainder of  
the provisions and requirements pertaining to the Bureau of  
Apprenticeship and Training in Maryland are still being enforced. All the  
provisions of Comar 17-201 through 17-226 are made part of this  
contract including the instructions to the contractor.

The following changes have been made to the **Proposal Book**:

1. Delete page 1 of 2 of the Table of Contents and pages 2 and 114 and  
add pages numbered the same dated May 11, 2010, Addendum No. 2
2. Add new Pages numbered xiv through xviii dated May 11, 2010,  
Addendum No. 2 to the Contract Provision section of the Invitation  
for Bids.

Sincerely,

Linda McGill, CPPB  
Chief Procurement Officer

LM/na

**THIS ADDENDUM SIGNED ACKNOWLEDGEMENT PAGE MUST BE  
ATTACHED TO THE OUTSIDE COVER OF THE BID BOOK. FAILURE  
TO DO SO MAY RESULT IN REJECTION OF YOUR BID.**

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**CONTRACT PROVISIONS**  
**APPRENTICESHIP TRAINING FUND**

CONTRACT NO. BB 2176-000-006R  
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**CONTRACT PROVISIONS**  
**APPRENTICESHIP TRAINING FUND**

Effective October 1, 2009, State Law requires all contractors and subcontractors working on State prevailing wage projects with prevailing wage determinations to register (Apprenticeship Training Fund Site) with the Division of Labor and Industry Prevailing Wage Unit prior to the commencement of work and to make certain contributions toward improving and expanding apprenticeship programs in the State. In addition, registered apprenticeship programs and organizations that have registered apprenticeship programs that have been selected by contractors and subcontractors for contributions also are required to register with the Division of Labor and Industry Prevailing Wage Unit.

The following information concerning the requirements of the apprenticeship training fund program are being provided for informational purposes only. It is the contractor's responsibility to contact the Maryland Department of Labor, Licensing and Regulation (DLLR), prior to commencement of any work, to determine how these provisions are being implemented and enforced by DLLR.

**Definitions.** The following terms have the meanings indicated.

**(a) Terms Defined.**

- (1) "Approved apprenticeship program" means an apprenticeship program or an organization with an apprenticeship program which has been registered with, and approved by, the Maryland Apprenticeship and Training Council or the United States Department of Labor.
- (2) "Commissioner" means the Commissioner of Labor and Industry.
- (3) "Covered craft" means a classification of workers listed in the prevailing wage determination applicable to a prevailing wage project.
- (4) "Fund" means the State Apprenticeship Training Fund.
- (5) "Monthly Certified Verification Report" means the monthly report that details contractor and subcontractor contributions for that month available on the Division of Labor and Industry's website.
- (6) "Public body" means a unit of State government as defined in § 17-201(l), State Finance and Procurement Article, Annotated Code of Maryland.
- (7) "Unit" means the Division of Labor and Industry, Prevailing Wage Unit and the public body that awarded the procurement contract.



**CONTRACT PROVISIONS**  
**APPRENTICESHIP TRAINING FUND**

CONTRACT NO. BB 2176-000-006R  
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- (8) "Yearly Certified Verification Report" means the yearly report that details contractor and subcontractor contributions for the preceding year available on the Division of Labor and Industry's website.

**Contractor/Subcontractor Registration.** Contractors and subcontractors awarded a procurement contract on a public work contract subject to the Maryland Prevailing Wage Law shall register on the Division of Labor and Industry's website at [www.dlir.state.md.us/labor](http://www.dlir.state.md.us/labor) prior to the commencement of work.

**Contractor/Subcontractor Project Management.** Upon registration under Contractor/Subcontractor Registration of this Chapter, contractors and subcontractors are required to provide information to the Division of Labor and Industry on its website at [www.dlir.state.md.us/labor](http://www.dlir.state.md.us/labor) about each public work contract including the following:

- (a) The prevailing wage project number for each prevailing wage project the contractor or subcontractor is performing work on; and
- (b) The contract value for each prevailing wage project the contractor or subcontractor is performing work on.

**Contractor/Subcontractor Notification to Subcontractors.** Contractors and subcontractors who hire subcontractors on a public work contract subject to the Maryland Prevailing Wage Law shall provide all subcontractors with written notice of the following requirements:

- (a) Subcontractors are required to register on the Division of Labor and Industry's website at [www.dlir.state.md.us/labor](http://www.dlir.state.md.us/labor) prior to the commencement of work;
- (b) After registration, subcontractors are required to enter certain information about each prevailing wage project on the Division of Labor and Industry's website; and
- (c) Subcontractors performing work on a prevailing wage project valued at \$100,000 or more are required to make payments to approved apprenticeship programs or to the Fund for workers in classifications listed on the prevailing wage determination, or both.

Contractors and subcontractors shall retain a copy of the written notice required in §A of this Regulation that was provided to all subcontractors for inspection and review by the Commissioner for three years.

**Contributions to the Fund.** *Currently not being enforced*

**Contributions to Approved Apprenticeship Programs.** *Currently not being enforced*



**CONTRACT PROVISIONS**  
**APPRENTICESHIP TRAINING FUND**

CONTRACT NO. BB 2176-000-006R  
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**Contractor/Subcontractor Obligations Relating to Approved Apprenticeship Program.**

- (a) Contractors and subcontractors are required to complete and to file on the Division of Labor and Industry's website at [www.dllr.state.md.us/labor](http://www.dllr.state.md.us/labor) the Monthly Certified Verification Report which shall include the following:
  - (1) A list of the contributions to each approved apprenticeship program during the last month;
  - (2) A statement signed by the contractor or subcontractor that the information is correct and that the contractor or subcontractor has complied with the requirements of Subtitle 6, Title 17, State Finance and Procurement Article, Annotated Code of Maryland.
- (b) Contractors and subcontractors are required to submit the Monthly Certified Verification Report by the 30<sup>th</sup> calendar day of each month for the previous month.
- (c) Contractors and subcontractors are required to complete and to file on the Division of Labor and Industry's website at [www.dllr.state.md.us/labor](http://www.dllr.state.md.us/labor) the Yearly Certified Verification Report which shall include the following:
  - (1) A summary of monthly contributions with total annual contributions; and
  - (2) A statement signed by the contractor or subcontractor that the information is correct and that the contractor or subcontractor has complied with the requirements of Subtitle 6, Title 17, State Finance and Procurement Article, Annotated Code of Maryland.
- (d) Contractors and subcontractors shall post a copy of their Yearly Certified Verification Report in a prominent and easily accessible place in the workplace near where work is performed.

**Notification to Division of Labor of Changes to Designated Approved Apprenticeship Programs or Fund.** Contractors and subcontractors shall provide the Commissioner with written notice of each approved apprenticeship program or the Fund to which it will make contributions. If a contractor or subcontractor changes their designation, it shall notify the Division of Labor and Industry 30 days prior to the change in designation.

**Approved Apprenticeship Program Obligations.** Upon notification from the Division of Labor and Industry that the approved apprenticeship program has been designated for contributions by a contractor or subcontractor, the approved apprenticeship program shall register on the Division of Labor and Industry's website at [www.dllr.state.md.us/labor](http://www.dllr.state.md.us/labor). After registering under SA of this Regulation, an approved apprenticeship program will receive a

04-06-10

XVI<sup>a</sup>

Addendum No. 2 5-11-2010



**CONTRACT PROVISIONS**  
**APPRENTICESHIP TRAINING FUND**

CONTRACT NO. BB 2176-000-006R  
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summary of contractor and subcontractor contributions from the Division of Labor and Industry on a monthly basis and shall comply with the following:

- (a) Review and certify that the contribution amounts are correct;
- (b) Certify that all funds received are used solely for the purpose of improving or expanding apprenticeship training in the State; and
- (c) File a response within 30 days of receipt of the Division of Labor and Industry's summary.

**Enforcement Procedures.**

- (a) The Commissioner may investigate whether Subtitle 6 of Title 17 of the State Finance and Procurement Article, Annotated Code of Maryland, has been violated:
  - (1) On the Commissioner's own initiative;
  - (2) On receipt of a written complaint; or
  - (3) On referral from another State agency.
- (b) The Commissioner may require a contractor, subcontractor, or an approved apprenticeship program to produce records as part of its investigation.
- (c) The Commissioner may enter a place of business to:
  - (1) Interview individuals; or
  - (2) Review and copy records.
- (d) If after an investigation, the Commissioner determines that there is a violation of Subtitle 6, Title 17 or a regulation adopted to carry out the title, the Commissioner shall issue a citation that shall:
  - (1) Describe in detail the nature of the alleged violation;
  - (2) Cite the provision of law or regulation that is alleged to have been violated; and
  - (3) State the penalty, if any.



**CONTRACT PROVISIONS**  
**APPRENTICESHIP TRAINING FUND**

CONTRACT NO. BB 2176-000-006R  
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- (e) Within a reasonable amount of time after the issuance of the citation, the Commissioner shall send a copy of the citation to the alleged violator by certified mail with notice of the opportunity to request a hearing.
- (f) Within 15 days after the alleged violator receives the citation, the employer may submit a written request for a hearing on the citation and proposed penalty.
- (g) If a hearing is not requested within fifteen days, the citation, including any penalties, shall become a final order of the Commissioner.
- (h) If there is a request for a hearing, the Commissioner may delegate the hearing to the Office of Administrative Hearings in accordance with Title 10, Subtitle 2 of the State Government Article, Annotated Code of Maryland.
- (i) A proposed decision of an administrative law judge shall become a final order of the Commissioner unless, within 15 days of the issuance of the proposed decision:
  - (1) The Commissioner orders review of the proposed decision; and
  - (2) The alleged violator submits to the Commissioner a written request for review of the proposed decision.
- (j) After review of the proposed decision under Subsection I, with or without a hearing on the record, the Commissioner shall issue an order that affirms, modifies or vacates the proposed decision.





**SP 1-1 PROJECT DESCRIPTION**

CONTRACT NO.: BB 2176-000-006R

TITLE: Cleaning and Painting at Westbound Bay Bridge

FACILITY: William Preston Lane, Jr. Memorial Bridge

LOCATION: Anne Arundel and Queen Anne Counties

ADVERTISED: April 6, 2010

PRE-BID MEETING: April 20, 2010 at 10:00 a.m., in the Conference Room at the Maryland Transportation Authority, 303 Authority Drive, Administration Building, Baltimore, MD 21222

PROJECT CONTACT: Project Manager: Nafiz Alqasem (410) 537-7821  
Contract Administration: Ms. Maggie Johnson (410) 537-7807

BIDS DUE: 12:00 p.m. on Wednesday, **May 19, 2010** in the Bid Box on the 1<sup>st</sup> floor of the Maryland Transportation Authority, Engineering Building, 300 Authority Drive, Baltimore, MD 21222

CLASSIFICATION: Class H- (\$15,000,001 – \$30,000,000)

CONTRACT TIME: Five Hundred and Fifty (550) Calendar Days

LIQUIDATED DAMAGES: **\$1,500.00 per Calendar Day**

MINIMUM MBE GOALS: Overall 12% with no subgoals

BID DOCUMENTS: \$25.00 - Bid documents can be purchased between 7:30am and 3:30pm, Mondays, Wednesdays, Thursdays and Fridays and between 10:00am and 4:00pm on Tuesdays at the Ticket Office located at the Francis Scott Key Bridge, Maryland Transportation Authority, Administration Building, 303 Authority Drive, Baltimore, MD 21222.



Maryland  
Transportation  
Authority

SPECIAL PROVISIONS  
Contract No. BB 2176-000-006R  
Page 1 of 1

BID/PROPOSAL FORM

Contract No. BB 2176-000-006R

Bid/Proposal Of \_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Phone Number)

To furnish and deliver all materials and to perform all work in accordance with the Specifications and the other Contract Documents except as specifically stated otherwise in the Special Provisions relating to Contract No. BB 2176-000-006R, Cleaning and Painting at Westbound Bay Bridge.

**As defined in the Special Provisions on which bids will be received until twelve (12) Noon on the 19th day of May, 2010 in the Bid Box of the Maryland Transportation Authority, Division of Procurement and Statutory Program Compliance, Building 300, 1<sup>st</sup> floor, located at the Francis Scott Key Bridge, Baltimore, MD. The work will be performed in Baltimore City.**

**Bids will be opened publicly at 12:00 Noon on the Bid Date in the Engineering Conference Room of the Transportation Authority which is located directly adjacent to the Bid Box.**

To the Maryland Transportation Authority, Baltimore, MD:

In accordance with the published "Notice to Contractors" of the Maryland Transportation Authority, inviting proposals for the work; identified above, I/We certify; that I/We am/are the only person or persons interested in this Proposal as principals; that it is made without collusion with any person, firm or corporation; that an examination has been made of the Contract Documents and of the work site; that I/We certify have the equipment, labor, supervision and financial capacity to perform this contract either with my/our organization or with subcontractors; that I/We propose to furnish all necessary machinery, equipment, tools, labor and other means of construction and to furnish all materials specified in the manner and at the time prescribed; that I/We understand that the quantities of work as indicated herein are to be determined by me/us; that I/We further understand that all work required by this contract is to be performed in accordance with the following Schedule of Prices.